

*Before the*  
**Federal Communications Commission**  
 Washington, D.C. 20554

In the Matter of )

Amendment of Section 73.622(i) )

Table of Allotments )

Digital Television Broadcast Stations )

(Madison, Wisconsin) )

RM- \_\_\_\_\_

**FILED/ACCEPTED****JUN 20 2008**Federal Communications Commission  
Office of the Secretary

To: Office of the Secretary  
 Attn: Chief, Video Services Division

**PETITION FOR RULEMAKING**

WMSN Licensee, LLC ("WMSN"), licensee of WMSN-TV, channel 47, and WSYX-DT, channel 11, Madison, Wisconsin, by the undersigned attorneys, hereby requests that the Commission initiate a rulemaking proceeding to substitute and allot DTV channel 49 for its assigned DTV channel 11 at Madison, Wisconsin at reference coordinates 43-3-21 N.L. and 89-32-6 W.L.<sup>1</sup>

As set forth in the attached engineering study of John E. Hidle, P.E. of Carl T. Jones Corporation, the instant proposal to allot DTV channel 49 to Madison can be accomplished in complete conformity with all Commission allocation requirements. In addition, the proposal will permit WMSN-DT to replicate the current analog service of WMSN-TV on a UHF DTV channel, thereby allowing the station to maintain program service to the station's current viewers. Consequently, WMSN requests the following change in the DTV Table of Allotments:

	<u>Current</u>	<u>Proposed</u>
Madison, Wisconsin	11, 19, *20, 26, 50	19, *20, 26, 49, 50


<sup>1</sup> The channel 49 DTV allotment reference coordinates are the same as the channel 11 DTV allotment coordinates of the Petitioner's currently licensed WMSN-TV, Madison, Wisconsin tower site.

If the proposal set forth herein is adopted, WMSN will promptly file the appropriate application for modification to specify operation on DTV Channel 49 at Madison with facilities consistent with those specified in the attached engineering statement and, if authorized, will construct the facilities contemplated therein and place the station into operation.

For the foregoing reasons, WMSN respectfully requests that the Commission adopt the proposed changes to the DTV Table of Allotments.

Respectfully submitted,

**WMSN Licensee, LLC**

By:   
Clifford M. Harrington  
Paul A. Cicelski

Its Attorneys

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Dated: June 20, 2008

**CARL T. JONES**  
**CORPORATION**

**STATEMENT OF JOHN E. HIDLE, P.E.  
IN SUPPORT OF A PETITION TO AMEND  
THE POST-TRANSITION DTV TABLE OF ALLOTMENTS  
WMSN-DT - MADISON, WISCONSIN  
DTV - CH. 49 - 280 kW - 450 m HAAT**

Prepared for: WMSN Licensee, LLC

I am a Consulting Engineer, an employee in the firm of Carl T. Jones Corporation, with offices located in Springfield, Virginia. My education and experience are a matter of record with the Federal Communications Commission. I am a Professional Engineer in the Commonwealth of Virginia, License No. 7418, and in the State of New York, License No. 63418.

**GENERAL**

This office has been authorized by WMSN Licensee, LLC, licensee of WMSN-TV, channel 47, and WMSN-DT, channel 11, both licensed to Madison, Wisconsin, to prepare this statement in support of a Petition to Amend the Digital Television (DTV) Post Transition Table of Allotments, §73.622(i) of the FCC Rules. The petitioner requests that §73.622(i) of the Commission's Rules be modified in the following manner:

	<u>Present</u>	<u>Proposed</u>
Madison, Wisconsin	11, 19, *20, 26, 50	19, *20, 26, 49, 50

DTV channel 11 is the channel currently specified in the Post-Transition DTV Table of Allotments for WMSN-DT. The petitioner requests herein to substitute DTV channel 49 for DTV channel 11. The proposed arrangement of allotments will permit WMSN-DT to

replicate its current analog service area on a new UHF channel thereby continuing and maintaining television program service to all of its current viewers.

### **TECHNICAL STUDY**

An engineering study of all pertinent allotments, assignments, applications, construction permits and DTV licenses reveals that DTV channel 49 can be allotted to Madison, Wisconsin as the post-transition DTV facility for petitioner's existing channel 47 analog television broadcast station, WMSN-TV.

The allotment reference coordinates for DTV channel 49 at Madison, Wisconsin are: 43° 3' 21" N.L. and 89° 32' 6" W.L.<sup>1</sup> The Madison allotment reference site meets the allotment standards in §73.616(b) with respect to the DTV to DTV geographic spacing requirements set forth in §73.623(d), the principal community coverage requirements set forth in §73.625(a), the Class A TV and digital Class A TV protection requirements set forth in §73.616(f), the land mobile requirements set forth in §73.623(e) and the FM radio protection requirement set forth in §73.623(f).

The petitioner proposes to utilize a new non-directional channel 49 antenna, which will be located at a centerline height above mean sea level (AMSL) of 750 meters and a height above average terrain (HAAT) of 450 meters. The proposed effective radiated power (ERP) is 280 kW.

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<sup>1</sup> The channel 47 DTV allotment reference coordinates are the same as the DTV channel 11 allotment reference coordinates (as defined in Section 73.622(i) of the FCC Rules) and the same as the petitioner's licensed WMSN-TV, Madison, Wisconsin tower site. (See FCC tower registration number 1033919).

### **ALLOCATION CONSIDERATIONS**

A study was performed to determine if the instant petition to amend the post-transition Table of Allotments is predicted to cause any level of new prohibited interference to domestic DTV stations, expansion construction permits or DTV allotments. Results of the study, utilizing the FCC's own application processing software, indicate that the instant petition is predicted to cause no unacceptable level of new interference to the populations served by any DTV station, expansion construction permit or allotment.

#### **Class A Television Allocation Considerations**

As required in Section 73.616(f) of the FCC's Rules, a study was performed, using the FCC's application processing software. The study showed that there is "No spacing violations or contour overlap to class A stations".

#### **Land Mobile and FM radio Considerations**

Since the Land Mobile requirements pertain only to channels 14 to 20, and since the FM Radio requirements pertain only to DTV channel 6, these requirements are not pertinent to the instant petition to specify a substitution of channel 49 for channel 11 in Madison, Wisconsin.

### **SUMMARY**

It is submitted that the instant Petition to Amend the Post-Transition DTV Table of Allotments to substitute DTV channel 49 for DTV channel 11 in Madison, Wisconsin, as described herein complies with the Rules, Regulations and relevant Policies of the Federal Communications Commission. This statement was prepared by me or under my direct

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supervision and its contents are believed to be true and correct to the best of my  
knowledge and belief.

DATED: June 20, 2008

  
John E. Hidle, P.E.

